

REMARKS

As a result of this amendment, claims 1-15 and 18-31 are pending. Claims 18-29 stand withdrawn and claims 1-15 stand rejected. Claims 1-15 stand rejected.

A detailed response to the rejections follows. However, applicant reserves all applicable rights not expressly exercised in connection with this response, including, for example, the right to challenge sufficiency of one or more of the cited references, the right to swear behind one or more cited references, and the right to rebut characterizations of the references and asserted combinations or motives for combination. Applicant makes no admissions regarding the prior art status of any of the cited art.

Affirmation of Election

On May 23, 2006, in response to a two-way restriction requirement identifying Group I, claims 1-17, drawn to a computerized system for posting, collecting and providing access in the computer network environment, and Group II, claims 18-29, drawn to a computerized method for posting, collecting and granting users access, applicant's representative Eduardo Drake provisionally elected without traverse to prosecute the subject matter of Group I, claims 1-17, now claim 1-15, 30, and 31, with the cancellation of claims 15 and 16 and addition of new claims 30 and 31. Applicant hereby affirms that election.

The claims of the non-elected subject matter, claims 18-29, are hereby withdrawn. However, applicant reserves the right to later file continuations or divisions having claims directed to the non-elected inventions or to add linking claims to the application.

Response to Objection to Specification

The Examiner objected to the specification or failing to provide proper antecedent basis for the claimed subject matter, particularly the "recited means" in claim 12. In response, applicant has amended claim 12 by deleted "the recited means" and listing the means elements found in claim 5. Accordingly, applicant requests respectfully that the Examiner reconsider and withdraw the objection.

Response to §102 Rejections

Claims 1, 4-12 and 14-17 were rejected under 35 U.S.C. §102(b) for anticipation by Bunney (EP 0848338). In response, applicant submits respectfully that one of skill in the art would not regard Bunney as identically meeting each and every requirement of the rejected claims.

For example, claim 1 recites "means for automatically collecting at the first database one or more second documents posted at one or more of the second databases in reply to one or more of the posted first documents." Thus, each of the second documents that is automatically collected at the first database is a reply to posting of a first document to the second database.

The Examiner cites page 6, lines 1-7 and 26-31 as meeting this requirement. The cited passages respectively state:

As shown in Figure 7, when the user enters ola™, the standard entries in the Personal Edition menu are "My Forums" 42; "Lucky Dip" 43; the titles of the user's link sets, in the present example "newspapers" 44, "weirdos" 45 and "magazines" 46; and "Edit PE" 47.

If the user selects "My Forums," links to the content items within the forums listed in the user's Personal Edition profile are added to the bottom of the Personal Edition menu, as shown in Figure 8. These links represent content items that have been added to the forums since the user's last visit to ola™. Selecting one of these links takes the user to that content item in the relevant forum.

The automatic update tracking feature of ola™ operates without requiring user input. During slack periods, e.g. overnight, the ola™ server runs a Web crawler program which accesses in turn the URLs within each user's monitored link set. The Web crawler compares the "last updated" field of each page header to the last logged visit of the user to that page. If the last updated field is later than the last logged visit then an indicator, e.g. a flag, appears in the Personal Edition menu when the links are displayed.

However, close inspection of the cited passages doesn't indicate that any documents are actually collected from a second database to a first database. At best, it appears that only links to forum documents are collected at the ola server. Moreover, the links that are collected from the forum (arguably the second database) are links to all the new documents that were added to the forum since the user's last visit to ola server. The documents associated with the collected links are not required to have a reply relationship to any documents that were previously posted to the forum. In fact, the cited passages and the remainder of Bunney appear completely devoid of the term "reply."

Accordingly, one of skill would not regard Bunney as meeting all the requirements of claim 1.

Claims 14 and 15 also distinguish from Bunney. For example, claim 14 and 15 recite “in response to the posting documents to one or more of the first sites, retrieving and collecting at the second site reply documents that are associated with the posted documents on the one or more first sites, including excluding one or more of the reply documents based on user- or administrator-defined criteria.” However, as explained, Bunney says nothing about collecting “reply” documents.

Accordingly, one of skill would not regard Bunney as identically meeting each and every element of claims 14 and 15.

Claim 4, as amended, readily distinguishes from Bunney. For example, claim 4 recites means for incorporating data, based on user- or administrator-defined topical search criteria, from one or more other databases into the first database; and means for updating the user- or administrator-defined topical search criteria based on user interaction with any data incorporated into the first database.

At best, Bunney reports changing the frequency with which it checks a user’s monitored link set. See, for example, page 6, lines 32-36, which state that

The system administrator may determine the frequency and order in which users' monitored links are checked. Each link should be checked at regular intervals, preferably daily. The frequency of checking user's link sets may also be determined according to the frequency of access to ola™, either by the specific user or by all users. To avoid repeatedly checking the same site for different users, the ola™ server constructs a table of all sites to be checked before accessing them.

However, one of skill would not equate frequency of checking a set of defined links, with updating topical search criteria.

Claim 5 also distinguishes from Bunney. For example, claim 5 recites “means for using results of past searches to improve search results.” The Examiner cites page 8, lines 23-28 as meeting this requirement. However, this cited passage is completely devoid of the terms

“search” and “result,” and it is therefore unclear how one of skill could possibly equate it with using results of past searches to improve search results. The passage states:

For the content generator, the articles are sorted into "Your Articles" and "Other People's Articles" and an additional link "Add new article" 71 is shown. For the content generator's own articles options "Edit" 72, "View" 73 and "Delete" 74 are provided via hypertext links; for other people's articles only "View" 73 is shown as content generators may not edit or delete other people's articles. System administrators and Forum administrators/editors may add, change, or delete any content within a forum. The archive table is assembled from the database each time the archive page is accessed, thus ensuring it is always up to date. The process for editing or adding a forum Article is shown in steps S15 to S20 of Figure 4.

Indeed, the passage appears to have zero relevance to the issue of improving search results.

In view of the highlighted distinguishing features of claims 1, 4, 5, 14, and 15, applicant requests respectfully that the Examiner reconsider and withdraw the 102 rejections of these claims.

Response to §103 Rejections

Claims 2, 3 and 13 were rejected under 35 U.S.C. §103(a) as unpatentable over Bunney as applied to claims 1, 4-12 and 14-17 above, and further in view of Drucker et al. (U.S. 6,292,796). In response, applicant submits respectfully that claims 2, 3, and 13 stem from claims 1 or 5 and thus distinguish from Bunney for at least the reasons noted above for these claims. Even if permissible, the proposed combination of Drucker with Bunney does not cover Bunney's shortfall.

Accordingly, applicant requests respectfully that the Examiner reconsider and withdraw the §103 rejections of claims 2, 3, and 13.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2132 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date February 25, 2008

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 25th day of February 2008.

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